



ENVIRONMENTAL & REGULATORY SERVICES DIVISION  
BUREAU OF PECFA  
P.O. Box 8044  
Madison, Wisconsin 53708-8044  
TDD #: (608) 264-8777

Jim Doyle, Governor  
Mary P. Burke, Secretary

## Wisconsin Department of Commerce, Bureau of PECFA Bid Document

### SECTION 1 - Scope of Work

The Bureau of PECFA is seeking competitive bids to perform remedial services for a petroleum release from a regulated petroleum product storage tank system. This bid is for a specified work scope. The site upon which bids are being solicited is:

**Bid Round:** 49  
**Comm #:** 53574-9549-02-A  
**BRRTS #:** 03-23-217972  
**Site Name:** Zraggen Property (Former Alpine Oil)  
**Site Address:** 2 6th Ave, New Glarus, 53574  
**Site Manager:** Rachel Greve  
**Address:** 3911 Fish Hatchery Road  
**City, State Zip:** Madison, WI 53711  
**Phone:** (608) 275-3220  
**e-mail:** Rachel.Greve@Wisconsin.gov  
**Bid Manager:** Ralph Smith  
**Address:** P.O. Box 8044  
**City, State Zip:** Madison, Wisconsin 53708-8044  
**Phone:** (608) 261-6543  
**e-mail:** Ralph.Smith@Wisconsin.Gov

<b>Bid-Start Date:</b>	<b>May 28, 2007</b>
<b>Questions must be received by (See Section 2 (B)):</b>	<b>June 11, 2007 4:00 PM</b>
<b>Responses will be posted by (See Section 2 (B)):</b>	<b>June 29, 2007 4:00 PM</b>
<b>Bid-End Date and Time:</b>	<b>July 13, 2007 4:00 PM</b>

The case file, including report(s) and other pertinent information upon which bids are being sought, are available for review at the Site Manager's location listed above. Please contact the Site Manager for an appointment to review the file.

Copies of report(s) and other pertinent information are available for purchase at the location listed below. If pertinent information is not available, please contact the Site Manager.

**Ivize Copy Shop (former Action Legal Copy Service), One E. Main Street, Suite LL-5, Madison, WI 53703**  
**Phone: (608) 663-1041 Fax: (608) 663-1045**

## **SECTION 2 – Site-Specific Bid Requirements**

### **General Comments**

The site was a bulk petroleum storage and distribution facility. Six 14,000-gallon above-ground storage tanks (ASTs) were removed around 1980. The ASTs included three leaded gasoline tanks, two diesel tanks, and one fuel oil tank. Contamination was discovered in 1998, during an environmental site assessment prior to WisDOT work at the intersection of State Highway 69 and State Highway 39.

Site geology consists of layers of silt, clay, and peat to a depth of 12 feet, underlain by sand and silty sand to 15.5 feet, the maximum boring depth. Bedrock was not encountered during the site investigation. The water table is generally present at 1-5 feet below ground surface (bgs) and fluctuates seasonally by 2-3 feet. Artesian conditions were observed in MW-2 and MW-4 in June of 2004. Due to the Artesian conditions observed in the two monitoring wells, conditions may warrant well abandonment procedures per NR 812.26. The groundwater flow direction varies but is generally to the southeast or east.

A total of 18 soil borings and five monitoring wells have been completed at the site. Several soil borings had contamination exceeding NR 746 Table 2 concentrations within four feet of the surface, posing a direct contact risk. Monitoring well MW-3 was abandoned in 2005 during DOT work at the site.

### **Minimum Remedial Requirements**

#### **Excavation**

Contaminated soil shall be remediated by means of soil excavation and off-site disposal in a licensed solid waste management facility. The area of excavation shall include, but not be limited to the area of borings GP-1, GP-6, B1, B2, and MW1, and all other soils exceeding NR 746.06 Table 1 values and/or Table 2 values (all direct contact hazards present in the upper four feet need to be addressed). The approximate area to be excavated is shown on the accompanying site map ~ (55 ft by 30 ft to four feet depth). For purposes of the bid, an estimated 340 tons of contaminated soil should be excavated and disposed of off-site. Bid responses should also include per ton contingency costs for the removal of additional soils (commodity costs only), should site conditions warrant. Concrete slabs, present within the area of excavation, must also be properly disposed of. The handling, hauling, and disposal of the concrete slabs are not PECFA-eligible activities. The use of field screening or other appropriate technology is required in order to segregate clean excavated soil from contaminated soil for disposal.

The excavation shall extend to 4 ft. bgs, or to the water table, whichever is shallower. The water table was observed at a depth of roughly 4 feet for three of the four past monitoring rounds, and at a depth of less than a foot in June of 2004. The excavation shall be back-filled with the clean soils segregated during excavation activities, as well as imported, clean material of permeability equal to or lower than native soils to prevent the bathtub effect. The backfill must be thoroughly compacted. Confirmation base and sidewall soil samples must be collected in accordance with DNR guidelines. Soil

samples must be analyzed for petroleum volatile organic compounds (PVOCs) and polycyclic aromatic hydrocarbons (PAHs).

Monitoring MW-1, located within the proposed excavation, shall be protected by all means necessary during the excavation process. Well components affected by excavation activities, such as the sand pack and surface seal, will probably need to be reconstructed following the excavation work.

The Wisconsin DNR and Commerce shall be notified at least 10 business days prior to the start of excavation activities. DNR and Commerce staff may visit the site during the excavation activities.

#### Groundwater Monitoring

Conduct a maximum of two years of quarterly groundwater sampling and analysis in for two ground water monitoring wells MW-1 and MW-5. Analyze groundwater for PVOCs and naphthalene in these two wells. Natural attenuation (NA) parameters must be sampled for during one round (fourth quarterly sample event only). At minimum, NA parameters must include dissolved oxygen, ferrous iron, nitrate, and sulfate.

Groundwater elevations must be measured in all monitoring wells, reported in tabular form, groundwater flow diagrams prepared and horizontal gradients determined for each sampling round. If groundwater sampling suggests the need for changes to the sampling and analysis plan, contact the DNR Project Manager (and copy to Commerce) for review and approval of the proposed changes.

The bid shall include costs for disposal of all investigative/remediation wastes.

#### Reporting

Upon completion of excavation and repairing well activities, a detailed remedial construction report, documenting the excavation activities and analytical results shall be prepared and submitted to DNR (copy to Commerce). Reporting per Comm 47.70 (known as PECFA Web Reporting) is required, and shall include soil data.

After two rounds of post-excavation groundwater sampling, submit a brief report to the DNR (copy to Commerce) that documents groundwater sampling results to date. Reporting per Comm 47.70 may be utilized in place of a brief letter report.

#### Closure Submittal

Upon completion of one year of groundwater sampling, review site conditions and all historical soil and groundwater analytical data, and evaluate the potential for closure consistent with the requirements of ch. NR 726, Wis. Adm. Code. Bid responses will include a separate cost to prepare and submit a complete closure report (including DNR Close Out Form) and GIS Registry packet (and all other closure related costs), for closure consideration by the DNR (copy to Commerce). The closure report must include all historical data and activities, and include the data results and documentation of the work activities completed in accordance with this bid. If conditions do not warrant closure after one year of monitoring, continue the sampling protocol and submit the closure report, etc. at the end of the additional monitoring period – which must be

approved in writing prior to commencement. This is anticipated to be a bid change order approval letter from Commerce based on the technical review by DNR and additional costs approval, if necessary, by Commerce.

**Note that DNR and Commerce will also use the contingency costs when determining the lowest cost bid.**

The initial bid cost cap will be based on the Total Bid Amount for the bid with the lowest compliant overall costs (e.g., including contingency costs).

### SECTION 3 - Reporting Timeframes

Within *60 days* of the Commerce notification of the maximum reimbursement amount, the responsible party (RP) must execute a written contract with one of the firms that submitted a bid. Failure to execute the written contract within this time will result in ineligibility of interest expenses incurred from the date of the reimbursement cap letter until a contract is executed and work commences at the site. Work must commence within *45 days* of signing a contract. There are specific reporting requirements in Comm 47.70 to monitor the progress of activities at each bid site and there may be additional reporting requirements outlined above. The consulting firm that is contracted to complete the scope of work is required to report the progress of this site to Commerce electronically on the web site at each of the following points:

1. Within fourteen days of executing or terminating a contract with the RP.
2. Three months after entering into the contract with the RP.
3. Twelve months after beginning the work in the successful bid, unless the project is completed before that time (point 6 applies).
4. Twelve months after submitting the previous report (point 3), unless the project is completed before that time (point 6 applies).
5. No later than 10 days after encountering a change in circumstances (the list of circumstances is in Comm 47.70 (3)).
6. No later than 30 days after completing the work.
7. As directed by Commerce.

If Commerce determines that the consulting firm is failing to make adequate progress to complete the scope of work, Commerce will notify the RP and may reduce the reimbursement to accurately reflect the work completed.

### Claim Submittal

A claim must be submitted to Commerce within 120 days of submitting the report described in *Reporting Timeframe, point #6*. If a claim is not submitted by the deadline described above, interest costs from the date the report (point #6) is submitted to the date the claim is received will not be reimbursed to the claimant. The claim preparation cost must be included in the Total Bid Amount and is considered within the reimbursement cap.

## Questions and Answers

Questions, answers and interpretations will be considered an amendment of this solicitation. All questions must be submitted in writing (fax and electronic mail submittals are acceptable) to the Bid Manager identified in Section 1 of this solicitation. All answers and interpretations shall be in writing from the Bid Manager. Neither the PECFA program nor Commerce shall be legally bound by any amendments or interpretations that are not in writing. Bidders are not to contact other personnel located within the Department of Commerce/Bureau of PECFA concerning the site or the bid solicitation between the Bid Announcement Date and Bid End Date. No further questions will be addressed after the deadline for submitting questions identified in Section 1.

### **SECTION 4 - Conditions of Bid**

The successful bidder will be the entity that complies with all provisions of the bid and provides the lowest total cost, excluding interest, for the site-specific bid requirements described in Section 2. In preparing the bid, the bidder must assume compliance with all applicable codes, including, but not limited to, §Comm 46, §Comm 47, and §NR 700 Wis. Admin. Codes.

The bid Commerce selects to determine the least costly method of remedial action will be the least costly qualified bid. Commerce will rank the bids solely on the basis of cost. Evaluation of bids will continue until the least costly qualified bid is identified. Submittals from an individual or firm during their period of disqualification from bidding, submittals received late and for submittals without a certified commitment (performance assurance and/or signature) will not be considered as bids. Commerce may disqualify a bid for the following reasons:

- Requirements of the bid specifications have not been met.
- The remedial strategy is not appropriate to the geologic setting.
- A Total Bid Amount is insufficient to fund the activities described in the bid specifications.

Commerce reserves the right to reject any and all bids.

Any proposed technology or methods used in the remediation must be allowed for use in the State of Wisconsin and approvable by the agency with jurisdiction (Natural Resources or Commerce).

The bidder Commerce intends to select may be required to provide input to and attend a meeting with the PECFA program and the claimant to explain the bid and remedial approach.

If a bid is disqualified, Commerce will provide written notification to any individual or firm that submitted a disqualified bid. The notification shall specify the reasons for the disqualification, and inform the individual or firm of their right to protest or appeal the decision. If a bid is more costly than the bid Commerce intends to select, the bid will not be reviewed.

The *Notice of Intent* will identify the least costly bid, disqualified bid(s) and bid(s) not reviewed. The *Notice of Intent* will be sent to the RP and will be posted on PECFA's Internet Web site.

## SECTION 5 - Instructions to Bidders

Between the bid start and end dates, bidders shall not discuss or attempt to negotiate any aspects of the bid with the RP, other potential bidders or program staff without prior approval of the Bid Manager identified in Section 1. Infractions will result in rejection of the violator's bid and may result in a formal complaint being filed with the Department of Regulation and Licensing.

If access to the site is necessary for the preparation of a bid, access shall be arranged through the Bid Manager. If the Bid Manager is not able to arrange site access, this will not delay the bid process nor negate the comparison and selection from among the bids submitted. All costs associated with a site visit or preparation of a bid will be the bidder's responsibility.

The Bidding Process must conform to the following:

1. The Bid Response shall address all the site-specific bid requirements identified in Section 2.
2. The total bid amount to accomplish the stated goal must include all fees, reporting costs, pre- and post-closure costs and costs for establishing restrictions or institutional controls, when applicable (interest costs are excluded).
3. The submittal must include a copy of the Bid Response document signed by a Professional Engineer, Professional Geologist, Hydrologist or Soil Scientist licensed by the State of Wisconsin. The appropriate registration number of the professional license must be included. Registration requirements are listed in Comm 5.
4. Bids *cannot* be faxed or sent electronically (email) to the program. Documents received by fax or email will not be considered.
5. Bids, amendments thereto or withdrawal requests must be received by 4 pm on the bid end date.
6. The consulting firm's name must be included and all pages of the Bid Response.
7. All costs must be printed (ink, typewritten or computer). Errors must be crossed out, corrections entered and initialed by the person signing the bid. Correction fluid is not allowed. No bid shall be altered or amended after the time specified for the bid end date.
8. Each bidder shall fully acquaint themselves with conditions relating to the scope and restrictions attending to the execution of the work under the conditions of this bid. The failure of a bidder to acquaint themselves with existing documented conditions shall in no way relieve any obligation with respect to this bid.
9. All amendments to and interpretations of this bid shall be in writing from the Bid Manager. Neither Commerce nor the program shall be legally bound by any amendment or interpretation that is not in writing.
10. This bid is intended to promote competition. If the language, specifications, terms and conditions, or any combination thereof restricts or limits the requirements in this bid to a single source, it shall be the responsibility of the interested bidders to notify the program in writing so as to be received five days prior to the opening date. The bid may or may not be changed; however a review of such notification will be made prior to award.

## **SECTION 6 - Bidder Disqualification**

Commerce may disqualify from public bidding any individual or firm that has committed any of the following (Comm 47.67 (1) (a)):

1. Failed to complete the scope of work within the reimbursement cost cap established through public bidding.
2. Failed to complete the scope of work in a bid in a timely manner.
3. Failed to follow DNR rules on the bid project.
4. Received one or more notices from Commerce under s. Comm 47.62 (2) that assess the financial management of an investigation as unacceptable.
5. In any prior occurrence that has been publicly bid, failed to do either of the following:
  - a. Pay subcontractors after receiving payment for them.
  - b. Obtain lien waivers on or before the date of the final payment by the RP or the PECFA program, from all subcontractors paid under subd. 5. a.
6. Failed to execute a contract with the RP as required in s. Comm 47.69 (1).
7. Failed to commence work within 45 days after executing a contract, as required in s. Comm 47.69 (3).

Commerce may disqualify any individual or firm from performing further work on a project if the individual or firm has not completed any of the six reporting points required in Comm 47.70 and outlined in Section 2 of this bid document. Commerce will review and address the issue as stated in Comm 47.70 (4).

## BID RESPONSE

(1<sup>st</sup> Page)

Department of Commerce PECFA Program

**SITE NAME: Zgraggen Property (Former Alpine Oil)**

**COMMERCE #: 53574-9549-02**

**BRRTS #: 03-23-217972**

Submit Bid Response To: Cathy Voges  
Public Bid Response  
Department of Commerce PECFA Bureau  
201 W Washington Ave, Madison WI 53703-2790 or  
PO Box 8044, Madison WI 53708-8044

Consulting Firm Name: \_\_\_\_\_

Complete Mailing \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: (     ) - \_\_\_\_\_

Fax Number: (     ) - \_\_\_\_\_

E-mail Address: \_\_\_\_\_

Bidder (check one that applies):

<input type="checkbox"/>	Professional Engineer	License #	_____
<input type="checkbox"/>	Professional Geologist	License #	_____
<input type="checkbox"/>	Hydrologist	License #	_____
<input type="checkbox"/>	Soil Scientist	License #	_____

Total Bid Amount: \$ \_\_\_\_\_

Print Name: \_\_\_\_\_

Title: \_\_\_\_\_

I certify that I have the authority to commit my organization or firm to the performance of the bid I have submitted.

Signature: \_\_\_\_\_

Personal information you provide may be used for secondary purposes [Privacy Law, s. 15.04(1)(m)].



## BID RESPONSE

(2<sup>nd</sup> Page)

Department of Commerce PECFA Program

**SITE NAME: Zgraggen Property (Former Alpine Oil)**

**COMMERCE #: 53574-9549-02**

**BRRTS #: 03-23-217972**

**Consulting Firm Name:** \_\_\_\_\_

A bid will be considered non-compliant if the bid response does not include a separate tabulation of costs for each activity.

1	Remedial Excavation for ~340 tons contaminated soil (55 ft by 30 ft to four feet depth (mob/demob, removal, hauling, confirmation samples, separation & handling of segregated clean backfill, imported backfill, & compaction)	\$	
2	Reporting (Excavation Report, and Reporting per Comm 47.70 a/k/a Web Report)	\$	
3	Proper disposal of all investigative and remedial wastes.	\$	
4	One year of quarterly groundwater sampling for two wells (incl. elevation data from all wells) for PVOC + naphthalene. Quarter four NA parameters must include dissolved oxygen, ferrous iron, nitrate, and sulfate. Elevation data, groundwater flow diagrams, and horizontal gradients are required for each groundwater sample event.	\$	
5	Sand pack and surface seal well repair for MW1.	\$	
6	A complete closure report (including DNR Close Out Form) and GIS Registry packet (and all other closure related costs – excluding monitoring well abandonment), for closure consideration by the DNR (copy to Commerce)	\$	
7	Four Mob/demob units (consultant only)	\$	
8	PECFA Claim Preparation	\$	
9	Total Bid Amount	\$	

10	Contingency costs for soil removal and backfill & compaction at a \$/ton rate (commodity costs only).	\$/ton	
11	Contingency costs for drilling, construction and development of replacement well (RMW-1).	\$	
12	Contingency costs for one year of quarterly groundwater sampling for two wells (incl. elevation data from all wells) for PVOC + naphthalene. Quarter four only - NA parameters must include dissolved oxygen, ferrous iron, nitrate, and sulfate. Elevation data, groundwater flow diagrams and horizontal gradients are required for each groundwater sample event.	\$	
13	Contingency costs for submittal of updated Closure Request.	\$	
14	Contingency costs for well abandonment	\$	
15	Contingency costs for disposal of all remedial & investigative wastes.	\$	
16	Contingency costs for free product removal (\$/gallon only).	\$/gallon	
17	Total Contingency Costs (Lines 10-17)	\$	

**BID RESPONSE**

**(3<sup>rd</sup> Page)**

Department of Commerce PECFA Program

**SITE NAME: Zgraggen Property (Former Alpine Oil)**

**COMMERCE #: 53574-9549-02**

**BRRTS #: 03-23-217972**

**Consulting Firm Name:** \_\_\_\_\_

**This response must address all of the site-specific requirements identified in Section 2, and shall support in detail the remedial strategy. Attach additional pages if necessary. *The Commerce Number and Consulting Firm name must be included on all additional pages.* The pages of each Bid Response must be *stapled* together. No paper clips or spiral bindings please.**